

1 RENE L. VALLADARES  
Federal Public Defender  
2 State Bar No. 11479  
MONIQUE N. KIRTLEY  
3 Assistant Federal Public Defender  
411 E. Bonneville Avenue, Suite 250  
4 Las Vegas, Nevada 89101  
(702) 388-6577/Phone  
5 (702) 388-6261/Fax

6 Attorneys for **WILCOX**

7  
8 UNITED STATES DISTRICT COURT  
9 DISTRICT OF NEVADA

10 \* \* \*

11 UNITED STATES OF AMERICA,  
12 Plaintiff,  
13 vs.  
14 CRAIG PAUL WILCOX,  
15 Defendant.  
16

2:13-cr-256-LDG-PAL

**MOTION TO WITHDRAW WITHOUT**  
**PREJUDICE THE MOTION TO**  
**WITHDRAW AS COUNSEL DUE TO**  
**CLERICAL ERROR**

17 COMES NOW the defendant, CRAIG PAUL WILCOX, by and through his counsel,  
18 Monique N. Kirtley, Assistant Federal Public Defender, who files this Motion to Withdraw the  
19 Motion to Withdraw as Counsel due to Clerical Error. (CR29) This motion is based upon the  
20 attached Memorandum of Points and Authorities and all of the papers and pleadings on file herein.

21 DATED this 25<sup>th</sup> day of April, 2014.

22  
23 RENE L. VALLADARES  
Federal Public Defender

24 /s/ Monique N. Kirtley  
25 By: \_\_\_\_\_  
26 MONIQUE N. KIRTLEY,  
Assistant Federal Public Defender

MEMORANDUM OF POINTS AND AUTHORITIES

FACTUAL BACKGROUND

On April 11, 2014, defendant Wilcox was sentenced in violation of 42 U.S. C. § 408(a)(4) and a sentence was imposed to count one of the indictment (CR25). A Notice of Appeal (CR26) was filed on April 22, 2014. Due to clerical error, undersigned counsel filed a Motion to Withdraw as Counsel (CR27) on April 22, 2014. A Notice of Intent to Plead Guilty (CR15) was filed on October 15, 2013. The Motion to Withdraw incorrectly stated that a Plea Agreement was filed in this case. As this is not the case, the Motion to Withdraw as Counsel is not necessary and is moot. Mr. Wilcox, through his attorney of record, Monique N. Kirtley, hereby respectfully requests that this court withdraw her Motion to Withdraw as Counsel and proceed with Mr. Wilcox's Appeal within the Office of the Federal Public Defender.

DATED this 25<sup>th</sup> day of April, 2014.

Respectfully submitted,

RENE L. VALLADARES  
Federal Public Defender

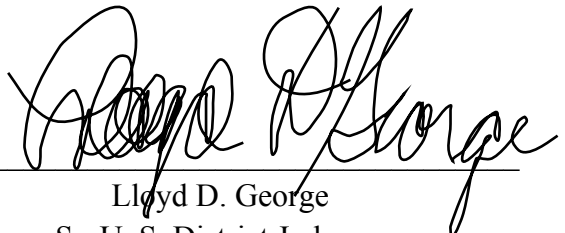
*/s/Monique N. Kirtley*

By: \_\_\_\_\_  
MONIQUE N. KIRTLEY,  
Assistant Federal Public Defender

ORDER

IT IS SO ORDERED.

DATED this 30 day of April, 2014.

  
\_\_\_\_\_  
Lloyd D. George  
Sr. U. S. District Judge